

Remarks

The numbered paragraphs of the office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

Claim Rejections - 35 USC § 103

1. The Examiner provided a quotation of 35 U.S.C. § 103(a) which forms the basis for the rejections under this section in the Office action. The Examiner reminded the applicant that the applicant has an obligation to point out the inventor and invention dates of claims not commonly owned. The applicant believes that all claims pending in this case are commonly owned. Both inventors are employees of the assignee and have executed assignments of their rights to the assignee. The Applicant believes no other response is required for this paragraph.
2. The Examiner rejected claims 41-73 under 35 U.S.C. 103(a) as being unpatentable over Dillon '726 (U.S. Patent No. 5,995,726). The Applicant has requested that claims 41, 59, 70, 71, 72 and 73, the independent claims, on which claims 42-58, and 60-69 depend, be amended to more clearly point out that applicant's invention includes a "plurality of client computers" connected to a "local area network" such that the "server computer" routes download data to the plurality of computers. Dillon appears to disclose and teach a single computer with a one-to-one communications system from an information provider to a single computer. Applicant's invention claims a plurality of client computers connected to a local area network that is also connected to a server computer to achieve a one-to-many or many-to-many communication system. Thus, the server computer of applicant's invention accomplishes the routing to particular computers

on the local area network. The Dillon reference could not be combined with a local area network to accomplish applicant's invention because Dillon provides no server computer and provides no routing capability. Thus, the Dillon reference does not make applicant's invention obvious. Because Dillon is for a single computer and because it provides no routing capability by a server computer, there is no suggestion or incentive in the references that would have motivated one of skill in the art to modify or combine the references to arrive at the claimed invention. Moreover, with no server computer and no routing capability in Dillon, Dillon would not work across a local area network and thus one of skill in the art would not have had a reasonable expectation of success at the time the invention was made regarding the applicant's invention. The applicant believes that the requested amendments to these independent claims and these remarks are fully responsive to the rejection of this paragraph. The applicant respectfully requests reconsideration and withdrawal of this rejection.

Other References Cited

3. The Examiner cited a number of other references, which although not relied upon are considered pertinent to applicant's disclosure. The applicant appreciates the Examiner's search and requests that these references be included in the Cited References in the record of this application.

4. The Examiner indicated that a shortened statutory period for response is set and that extensions may be obtained under the provisions of 37 CFR 1.136(a). The applicant is submitted a petition for extension of time and fee for an extension of time under the provisions of 37 CFR 1.136(a). The applicant believes that this submission, being made

within the permitted extension period is fully responsive and permits this application to continue prosecution.

5. The Examiner provided information concerning communication with the Examiner on this case. The applicant appreciates the Examiner's willingness to communicate and progress this case.

In view of the foregoing, and in summary, Applicant believes that all issues and points of the Examiner's Office Action have been addressed and that the newly amended claim and all claims dependent on this claim are patentable over the prior art.

Reconsideration of the application is respectfully requested.

Respectfully submitted this 10th day of March, 2003.

A handwritten signature in black ink, appearing to read 'Lloyd W. Sadler', with a long horizontal flourish extending to the right.

Lloyd W. Sadler, Reg. No. 40,154
PARSONS BEHLE & LATIMER
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
Telephone: (801) 532-1234
Facsimile: (801) 536-6111